

LEGAL NOTICE

Summary of Proposed Rulemakings

PUBLIC NOTICE OF INTENT TO PROPOSE OR PROMULGATE NEW OR CHANGED AGENCY RULES

The following agencies of the state of Idaho have published the complete text and all related, pertinent information concerning their intent to change or make the following rules in the new issue of the state Administrative Bulletin.

(The written comment submission deadline for the following rulemakings is 7/26/06, unless otherwise listed.)

IDAPA 02 – DEPARTMENT OF AGRICULTURE P.O. Box 790, Boise, ID 83701

02-0602-0601, Rules Pertaining to the Idaho Commercial Feed Law. Updates the incorporation by reference of the 2007 edition of the Official Publication of the Association of American Feed Control Officials (AAFCO).

02-0612-0601, Rules Pertaining to the Idaho Commercial Fertilizer Law. Updates the incorporation by reference of the 2007 edition of the Official Publication of the Association of American Plant Food Control Officials (AAPFCO).

02-0641-0601, Rules Pertaining to the Idaho Soil and Plant Amendment Act of 2001. Updates the incorporation by reference of the 2007 edition of the Official Publication of the Association of American Plant Food Control Officials (AAPFCO).

IDAPA 11 – IDAHO STATE POLICE P.O. Box 700, Meridian, ID 83680-0700

11.04.01 - Rules Governing Horse Racing (Idaho State Racing Commission).

11-0401-0601, (Temporary and Proposed Rule) Implements controlled substance and alcohol testing to protect the integrity of horseracing in the state.

11-0401-0602, Defines and establishes the recognized horsemen's group and alternate horsemen's groups.

11.04.02 - Rules Governing Simulcasting. (Idaho State Racing Commission)

11-0402-0601, (Temporary and Proposed Rule) Establishes rules regarding simulcast purse money collection and distribution per Idaho statute.

11-0402-0602, Deletes duplicate advance deposit wagering distribution language in the rule.

11-1301-0602, The Motor Carrier Rules. (Temporary and Proposed Rule) Exempts Idaho carriers between 10,001 lbs. & 26,000 lbs. from certain administrative parts of the Federal Motor Carrier Safety Agency regulations.

IDAPA 16 – DEPARTMENT OF HEALTH AND WELFARE P.O. Box 83720, Boise, ID 83720-0036

16.03.05 - Rules Governing Eligibility for Aid to the Aged, Blind and Disabled (AABD).

16-0305-0601, (Temporary and Proposed Rule) Changes conform to the federal Deficit Reduction Act of 2005 and require applicants to disclose all interests in annuities and other financial instruments, extends the period of time that asset transfers must be reviewed and can be penalized, and requires the applicant to name the state as a remaining beneficiary.

16-0305-0605, Changes conform to changes in the federal Deficit Reduction Act of 2005 and apply to trusts, life estates, and annuities to help prevent the sheltering of assets; clarifies rules on “Inheritance,” “Resources Excluded from Assessment,” “Treatment Trusts,” and new definitions were added for “annuities” and “assets”.

IDAPA 18 – DEPARTMENT OF INSURANCE

PO Box 83720, Boise, ID 83720-0043

18-0134-0601, Certificate for Liability Insurance for Motor Vehicles. (Temporary and Proposed Rule) Conforms to HB 653 that requires the Director to prescribe a form for proof of liability insurance to be used by motor vehicle dealers.

IDAPA 21 – DIVISION OF VETERANS SERVICES

320 Collins Rd., Boise, ID 83702

21.01.01 - Rules Governing Admission, Residency, and Maintenance Charges in Idaho State Veterans Homes and Division of Veterans Services Administrative Procedure.

21-0101-0601, (Temporary and Proposed Rule) Implements 2006 Idaho Session Laws, Chapter 50, authorizing the admission of spouses to the Idaho State Veterans Homes.

21-0101-0602, Incorporates all rules governing Idaho State Veterans Homes into this chapter and amends the written interpretation section of the rules.

21-0103-0601, Rules Governing Medicaid Qualified Units in Idaho State Veterans Homes. Chapter repeal consolidates the Division’s veterans’ homes rules into a single chapter.

21-0104-0601, Rules Governing the Idaho State Veterans Cemetery. Clarifies that use of cemetery property for recreation is limited to uses that are consistent with honoring deceased veterans and their families.

IDAPA 35 – IDAHO STATE TAX COMMISSION

P.O. Box 36, Boise, ID 83722-0410

Property Tax Administrative Rules.

35-0103-0602, (Temporary and Proposed Rule) Changes to Rule 317 conform to HB 421 when applying the homeowner’s exemption to properties subject to the occupancy tax.

35-0103-0603, (Temporary and Proposed Rule) Changes to Rule 700 conform to HB 422 that reduced property tax and HB 421 that changed the homeowner’s exemption.

35-0103-0604, (Temporary and Proposed Rule) Changes to Rule 802 provide direction on when new construction roll values can be increased because of the “change in land use classification” resulting from the repeal of the partial exemption by HB 676.

35-0103-0605, (Temporary and Proposed Rule) Changes to Rule 989 conform to HB 443 that establishes the date by which the taxpayer will make payment for recapture of property tax exemption in lieu of investment tax credit.

IDAPA 58 – DEPARTMENT OF ENVIRONMENTAL QUALITY

1410 N. Hilton, Boise, ID 83706-1255

58-0111-0601, Ground Water Quality Rule. Proposed revisions augment the ground water quality standards for bacteria by adding standards for fecal coliform and Escherichia coli (E. coli) bacteria. Comment by: 8/2/06.

*A Negotiated Rulemaking Meeting Is Being Held on the Following Docket:
(See July Bulletin for dates, times, and locations)*

**IDAPA 10 - Board of Professional Engineers and Professional Land Surveyors
10-0101-0601, Rules of Procedure**

Please refer to the Idaho Administrative Bulletin, **July 5, 2006, Volume 06-7** for notices and text of all rulemakings, public hearing schedules, Governor's executive orders, and agency contact information.

Issues of the Idaho Administrative Bulletin can be viewed at the county law libraries or online.

To view the Bulletin or Code or for information on purchasing the Bulletin and other rules publications, visit our website at www.adm.idaho.gov/adminrules/ or call (208) 332-1820 or write the Dept. of Administration, Office of Administrative Rules, 650 W. State St., Room 100, Boise, ID 83720-0306.